

Keeping Your License

Driving in Massachusetts is a privilege, not a right. You earn driving privileges by passing written and road tests that prove your ability to operate a motor vehicle safely and within the law. Once you have earned your driver's license, you are responsible for your actions as a driver.

The RMV tracks your history as a driver in your **driving record**. This record lists three types of events that can cause you to lose your driving privileges:

- Civil motor vehicle infractions
- Criminal violations
- Motor vehicle accidents where you are found to be more than 50 percent at fault

This chapter explains these three events, how the law works, and how to avoid losing your driving privileges.

CHAPTER 2

The RMV is required to suspend or revoke your driver's license in a number of situations described in this chapter. A **suspension** or **revocation** means that your license and driving privileges are taken away for a specific period or indefinitely. *(See the License Suspension or Revocation section later in this chapter for information on what causes you to lose your driver's license.)*

In addition, you will not be able to renew your expired license if you have unpaid parking violations, unpaid excise taxes, outstanding court warrants, outstanding Fast Lane violations, or unfulfilled child support obligations. *(For details, see the Reasons for License Nonrenewal section at the end of this chapter.)*

Motor Vehicle Violations and Penalties

When you break a motor vehicle law, you are subject to being given a citation. A citation may require that you pay a fine, lose your driving privileges, appear in court, or go to jail. Major traffic law violations, such as driving while intoxicated or leaving the scene of an accident, are criminal offenses that carry severe penalties and could cause you to lose your license. You can also lose your license through a *series* of traffic violations, such as driving above the speed limit or failing to obey traffic signals.

Depending on the seriousness of your violation, you may face combined penalties, such as a fine, loss of license, and/or a prison sentence.

Motor vehicle violations fall into two categories: *civil* and *criminal*. The following sections explain the differences between the two violations. For many motor vehicle violations, the penalties may be more severe if you hold a Junior Operator's License, if you are under 21, if you are a repeat offender, or if you are driving with a commercial driver's license (CDL).

Civil Motor Vehicle Infractions

Civil violations, such as not obeying traffic signals or speeding, are considered noncriminal and can usually be settled by paying fines. If you receive a citation from a law enforcement

officer for a civil motor vehicle infraction (CMVI), you must pay the required fine or request a hearing to dispute the citation within 20 days.

If you do *not* respond to a citation within 20 days, you will be found responsible and charged a substantial late payment fee. Continued failure to pay the citation and late fee will cause your license to be suspended. Paying a motor vehicle citation fine means you accept responsibility for that violation. Your driving record will note that you have accepted responsibility for a citation whether you paid the citation by mail, requested a hearing and were ordered by a court to pay the fine, or you failed to respond to the citation within the 20-day period.

All moving violations are tracked in Massachusetts by the RMV and are recorded on your driving record. Moving violations can affect your motor vehicle insurance rate (*see Chapter 6*) and may cause your license to be suspended.

Parking violations are not considered CMVIs. They are handled by the city or town that issued the citations or tickets. However, unpaid parking violations will prevent you from renewing your driver's license or vehicle registration.

Speeding Violations

The beginning of Chapter 4 explains the speed-limit laws in Massachusetts. If you are given a citation for driving above the speed limit, the minimum penalty is a \$100 fine. If you are convicted of driving more than 10 miles per hour (mph) over the speed limit, you will be fined an additional \$10 for each mph you were traveling above the first 10. By law, all fines for speeding violations include a \$50 surcharge. This surcharge is applied to the Head Injury Treatment Services Trust Fund. Speeding is a common factor in motor vehicle crashes resulting in serious head injuries. The Legislature established this trust fund for rehabilitation services for those with head injuries. For example, if you were traveling 73 mph on a highway with a posted speed limit of 55 mph, you would incur a \$180 dollar fine:

You may pay for speeding violations using a credit card by calling the RMV phone center at 617-351-4500 or 1-800-858-3926 (from the 413/508/978 area codes) or through the RMV website at www.mass.gov/rmv or you can mail the payment to: RMV Citations-Processing Center Box 199125, Boston, MA 02119-9125

Three responsible findings on speeding violations in a 12-month period means your license will be suspended for 30 days. If you hold a Junior Operator's License, two speeding violations before you turn 18 years old means your license will be suspended for 180 days and 1 year for a third violation.

Your Speed	73 mph
Speed Limit	55 mph
	18 mph over the limit
First 10 mph	\$100
Next 8 mph (8 x 10) =	\$80
	\$180 total fine

Criminal Violations

Criminal motor vehicle violations are serious offenses. If you commit a criminal motor vehicle violation, you may be arrested immediately, your vehicle will be towed, your license may be taken away, and you may be placed in jail until a court hearing can be arranged. If you are convicted of a criminal motor vehicle offense, the court will set any fine or prison term.

Criminal motor vehicle offenses include driving with a suspended license, operating under the influence (OUI), and leaving the scene of an accident. The *License Suspension or Revocation* section of this chapter includes tables that outline the penalties of many criminal motor vehicle offenses.

In addition, you may be arrested and criminally charged for not responding truthfully and fully to a police officer who has asked you to...

- Provide your name and address
- Provide the vehicle owner's name and address
- Produce your driver's license on demand
- Show a valid registration certificate for the vehicle
- Sign your name in the officer's presence

Out-of-State Violations

Massachusetts has arranged to share driving-record and criminal-violation information with other states. **Certain traffic offenses you have committed in other states will be placed on your driving record and treated by the RMV as if they had occurred in Massachusetts.**

As explained later in this chapter, out-of-state violations count toward possible license suspension and Safe Driver Insurance Plan surcharges. Furthermore, if your license or driving privileges have been suspended or revoked in another state, your Massachusetts license will be suspended automatically.

At-Fault Accidents

In addition to civil and criminal motor vehicle violations, the third type of event that negatively affects your driving record is a motor vehicle accident for which you are considered to be at fault. You are considered to be more than 50 percent at fault for an accident if your insurance company...

1. Finds you at fault according to one of the 19 Standards of Fault listed at the end of *Chapter 6*. An example is causing an accident while driving on the wrong side of the road or crashing into another vehicle from behind.
and
2. Has paid a claim of more than \$500 for collision, limited collision, or damage to someone else's property.

Any at-fault accidents charged to you will be listed on your driving record with any motor vehicle violations you committed and will count toward possible license suspension.

Surchargeable Events

The motor vehicle violations or accidents described previously that are listed on your driving record are called **surchargeable events**. Each surchargeable event counts toward possible license suspension. Remember, the RMV treats most out-of-state traffic convictions as if they occurred in Massachusetts.

If you receive responsible findings on three speeding violations within a 12-month period, your driver's license will be suspended automatically for 30 days. The 12-month peri-

od begins when you either pay or are found responsible for the first of the 3 citations. Junior operators (under age 18) face a tougher license suspension of 180 days for any combination of 2 speeding or drag racing citations and a 1 year suspension for a third violation before your 18th birthday.

If you collect five surchargeable events on your driving record within a 3-year period, you are in danger of having your license suspended. You will receive a letter from the RMV instructing you to complete a driver retraining program (*see the next section*). You must complete the retraining course within 90 days or your license *will* be suspended indefinitely until you complete the program. If you have taken the driver retraining program in the past 3 years, you are exempt from this requirement.

If you collect seven surchargeable events within a 3-year period, your license will be suspended automatically for 60 days.

Surchargeable events not only threaten your driving privileges, they affect your private passenger motor vehicle insurance. Using a point system and driving record information, the Merit Rating Board administers a program called the Safe Driver Insurance Plan (SDIP). Under SDIP, your insurance premium is determined by your driving record. If you are a safe driver over the years, your premium may go down. However, if you are convicted of criminal or civil moving violations, or if you are more than 50 percent at fault in an accident, your insurance rate will increase (*see Chapter 6 for more information*).

Driver Retraining Course

If you accumulate five or more surchargeable events on your driving record, you *must* complete the Massachusetts Driver Retraining Course or lose your license. This course does not teach driving skills; rather, it helps drivers learn to change their driving behavior.

Shortly after the RMV notifies you that you have five or more surchargeable events, you will

To schedule a driver retraining course, call the National Safety Council at 1-800-432-5251.

receive a driver retraining information packet, which contains fee information. The 8-hour retraining program is held at many locations throughout the state and is typically offered as two 4-hour sessions. However, one 8-hour Saturday session may be available in your area.

Completing the Driver Retraining Program does *not* erase any offenses or surcharges from your driving record and does *not* replace any other requirements you must meet for specific offenses. For example, if you were convicted of drunk driving, you may also have to complete an alcohol treatment or education program.

Driving Records

You can obtain a copy of your Massachusetts driving record by ordering it over the phone, requesting it by mail, or picking it up in person at any full-service RMV Branch. The cost of each driving record is currently \$15. To order by phone, call the RMV Phone Center at 617-351-4500 (from the 339/617/781/857 area codes) or 1-800-858-3926 (from the 413/508/978 area codes) and pay by VISA, MasterCard, or Discover. To order by mail, send a written request with your name, date of birth, driver's license number, and Massachusetts address, along with payment by check, to the address in the margin.

Checks should be made payable to the *RMV* or the *Registry of Motor Vehicles*. Make sure your name, address, and driver's license number are printed on your check. If you presently reside out of state, please indicate where you would like your driving record mailed.

**Driver Control/
Driving Records
Registry of Motor
Vehicles
P.O. Box 55896
Boston, MA
02205-5896**

When ordering a driving record by mail or over the phone, please allow 10 business days for processing.

License Suspension or Revocation

The Registrar of Motor Vehicles has the right to suspend or revoke your driver's license according to Massachusetts law or when he/she considers you to be a threat to public safety. Some motor vehicle violations require the immediate suspension or revocation of your license. You can also lose your license for committing a number of moving violations over time or for being at fault in a number of accidents.

Mandatory License Suspensions (18 Years and Older)

Situation	Explanation	Suspension Period	Fee to Reinstatement
Three Speeding Violations	Three speeding violations/responsible findings within any 1-year period.	30 days	\$100
Five Surchargeable Events	Any combination of moving violations and surchargeable accidents that total five surchargeable events within a 3-year period.	Must complete driver retraining program within 90 days or license will be suspended indefinitely until course is completed	\$100
Seven Surchargeable Events	Any combination of moving violations and surchargeable accidents that total seven surchargeable events within a 3-year period.	60 days	\$100
Habitual Traffic Offender	A total of three major moving violations or any combination of twelve major or minor moving violations within a 5-year period.	4 years	\$500
Out-of-State Suspension	License has been suspended or revoked in another state.	Until the out-of-state suspension is resolved	\$100

Reasons for License Suspension

The law requires the Registrar to suspend or revoke your driver's license automatically in several instances. The charts in this section summarize the situations in which suspension is mandatory. In addition to automatic license suspension, the Registrar has the discretionary right to suspend or revoke your license in the following cases:

- *Immediate threat*—If the Registrar determines that allowing you to continue driving poses an immediate threat to public safety, he/she can suspend your learner's permit or driver's license immediately.

- *Improper operation*—If it is determined at a hearing that you have operated a motor vehicle improperly, the Registrar can suspend your driving privileges.
- *Fake ID*—Even without a court conviction, the Registrar can suspend your driving privileges for 6 months (or 1 year after a conviction) for the following offenses:

Transferring, altering, or defacing a license/ID

Making, using, carrying, selling, or distributing a false license/ID

Using somebody else's license/ID

Furnishing false information to obtain a license/ID

Other Reasons for License Suspensions

Since the receipt or retention of a driver's license is a privilege and not a right, the Registrar is also required by law to suspend a driver's license for some reasons unrelated to the person's motor vehicle record or a conviction requiring suspension.

For example, the Registrar is required to initiate the suspension process whenever he/she receives official notification that a license holder:

- Has failed to comply with a child support enforcement order
- Has an outstanding arrest or default warrant
- Has failed to register as a sex offender

Out-of-State Suspensions

If your driving privileges have been suspended or revoked in another state, your Massachusetts driver's license will be suspended until your out-of-state suspension or revocation is resolved. Once your license has been reinstated in the state that suspended or revoked it, you can settle your Massachusetts suspension by bringing either a reinstatement letter or a current driving record from the state of suspension to any full-service RMV Branch. Your reinstatement letter or driving record must be no more than 30 days old.

For penalties that apply to Junior Operators (ages 16½ to 18), see the chart on the next page.

If you have questions about child support, contact the Department of Revenue's (DOR's) Child Support Office at 1-800-332-2733.

If you have questions about registering as a sex offender, contact the Sex Offender Registry Board at 978-740-6503

Massachusetts state law requires the RMV to apply Massachusetts license suspension rules to *any* of these out-of-state violations, even if an offense did not cause a suspension in another state.

Mandatory License Suspensions *Junior Operators Only (16½ to 18 Years)*

Situation	Explanation	Suspension Period	Fee to Reinstatement
Conviction for Violating Passenger Restriction	Violation of passenger restriction (unsupervised vehicle operation during first 6 months)	30 days—first offense 60 days—second offense 90 days—third offense	\$100

Note: The suspensions below do not require violations to be the same type. A speeding violation following a drag racing violation will count as a second offense.

Conviction for Speeding (c. 90, §17)	Speeding on a way	180 days—second offense 1 year—third or subsequent offense	\$100
Conviction for Speeding on Certain Highways (c. 90, §17A)	Speeding on portions of Mass Pike, portions of I-91, portions of I-95	180 days—second offense 1 year—third or subsequent offense	\$100
Conviction for Drag Racing (c. 90, §17B)	Operating on a way at a high rate of speed in competition with another	180 days—second offense 1 year—third or subsequent offense	\$100
Conviction for Violating Special Speed Regs. (c. 90, §18)	Special regulations as to speed (set by cities, towns, state highway department)	180 days—second offense 1 year—third or subsequent offense	\$100

To determine what is a "like" offense, the RMV will look at what conduct the other state's law prohibits, not whether or not the other state chose to assess a higher or lower penalty, or treat the offense as a civil or criminal infraction.

Each state in the United States is required to notify the Massachusetts RMV of any traffic offenses you commit out of state. **Again, these offenses will be treated as if they occurred in the Commonwealth if they are a "like" offense.**

When Your License Is Suspended . . .

If the RMV suspends or revokes your driver's license, you *must* stop driving immediately. You have lost your driving privileges, and it is illegal for you to operate any motor vehicle.

Driving Without a License

It is illegal to drive in Massachusetts without a valid driver's license or permit.

Driving With a Suspended License

If your license or permit has been suspended or revoked for any reason, your license or permit is *not* valid and you are *not* allowed to drive in the Commonwealth. **Driving while your license is suspended or revoked is considered a criminal motor vehicle violation. You may face a considerable fine and/or jail sentence as well as additional suspension penalties, for doing so.**

License Reinstatement

To reinstate your driver's license or your right to operate a motor vehicle, you may need to appear for a hearing. If your license is suspended or revoked, you have the right to a hearing with a hearings officer. Hearings are held on a walk-in basis, unless your notice specifies a certain date, time, and place for your hearing. Walk-in hearings hours are 8:30 am to 4:45 pm at the following locations:

Full Time Hearings Locations (Monday through Friday, excluding holidays): Boston, Brockton, Lawrence, Worcester, Springfield, and North Attleboro.

Part Time Hearings Locations (selected days): Beverly (Wed), Framingham (Tues/Wed), Lowell (Mon/Wed/Fri), New Bedford (Mon/Fri/ every other Wed), Reading (Tues/Thur), Pittsfield (Wed/Thurs), Watertown (Mon/Tues), South Yarmouth (Mon/Tues/Thurs).

The Graduated Licensing Law mandates license suspensions, in addition to any other penalty that may be imposed, for Junior Operators who are convicted of violating any of the laws in the preceeding chart.

If your license has been suspended due to a bad check, you may make restitution with cash or certified bank check at any full-service RMV Branch. In addition to your reinstatement fee, you will be charged a \$25 fee to clear your bad check.

Note that hearings days or locations are subject to change without notice. If a hearing cannot be held for any reason at a particular location, the branch staff can direct you to the next nearest location for service.

Many of the offenses in the accompanying chart may also require you to serve time in jail.

Additional suspension periods will apply to many of the offenses in the accompanying chart when Junior Operators commit them and alcohol or drugs are involved. For more information, see the *Under 21 Alcohol Offenses* section later in this chapter.

Criminal Offenses and Suspensions		
Criminal Conviction	Suspension Period	Fee to Reinstate
Operating a motor vehicle with a suspended or revoked license	60 days–1 year	\$500
Operating a motor vehicle without the owner's authority	1–3 years	\$500
Leaving the scene of an accident when a person is injured	1–2 years	\$500
Leaving the scene of an accident involving property damage	60 days–1 year	\$500
Operating to endanger	60 days–1 year	\$500
Motor vehicle homicide	10 years–Lifetime	\$500
Operating under the influence of alcohol or drugs	1 year (first) 2 years (second) 8 years (third) 10 years (fourth) Lifetime (fifth)	\$500 (first) \$700 (second) \$1200 (third) \$1200 (fourth) N/A
Any drug-related conviction (Operation of a vehicle is not required)	1–5 years	\$500
Defacing real or personal property, spraying paint or applying stickers or other graffiti (Operation of a vehicle is not required)	1 year (or delay of 1 year in obtaining a License)	\$100

At your hearing, the hearings officer will review your case, including your driving record and all applicable laws and regulations. Most suspensions are mandatory, and the hearing is limited to whether the law is being applied correctly to your driving record.

Once you have been found guilty of or responsible for a violation, the facts of the incident are no longer relevant, and the hearings officer will not have the discretion to waive a valid suspension. The hearings officer may take the hearing under advisement for up to 10 business days following

the closing of the hearing before rendering a decision.

State law requires you to pay a fee to reinstate a suspended or revoked license.

The most common fee is \$100, but suspensions caused by serious offenses may require reinstatement fees as high as \$1,200.

Depending on the suspension, you may also be required to pass a written exam and road test as part of the reinstatement process. You will be required to present four forms of identification to prove your identity if you have to take a written exam and road test.

Alcohol, Drugs, and Driving

The facts are simple: **You cannot drive safely after drinking alcohol or taking other drugs.**

Alcohol is a drug. It is a depressant that affects your vision, reaction time, coordination, and judgment. Even small amounts of alcohol or other drugs—including some over-the-counter medicines—can decrease the mental and physical abilities you need to operate a motor vehicle safely. You do not have to be drunk or completely intoxicated to be a dangerous driver.

As a licensed driver, your first responsibility is *always* safety. If you have consumed any substance that impairs your awareness and your reflexes, you are no longer safe to drive.

Each year in the United States, alcohol is responsible for half of all highway deaths. This figure does not include the thousands of drivers, passengers, and pedestrians who are seriously hurt or permanently disabled in similar accidents, or the millions of dollars of damage caused, or the tragedies that friends and families must face—all at the hands of drivers operating under the influence (OUI) of alcohol or drugs.

Because driving under the influence is so dangerous, Massachusetts enforces very strict penalties for OUI violations. The chart on the next page shows the penalties associated with each OUI conviction.

The accompanying chart lists the penalties for OUI offenses.

Penalties for Operating a Motor Vehicle Under the Influence of Alcohol or Drugs			
Conviction	Fine	Prison Term	License Suspension
First Offense	\$500–\$5,000	Maximum 2½ years	1 year
For your first offense, the court may allow you to complete an alcohol education course to reduce your license suspension period.			Over 21, 45–90 days Under 21, 210 days
Second Offense	\$600–\$10,000	Minimum 30 days Maximum 2½ years	2 years
Third Offense (Felony)	\$1,000–\$15,000	Minimum 150 days Maximum 5 years	8 years
Fourth Offense (Felony)	\$1,500–\$25,000	Minimum 1 year Maximum 5 years	10 years
Fifth Offense (Felony)	\$2,000–\$50,000	Minimum 2 years Maximum 5 years	Lifetime

Alcohol

Whether it's in the form of beer, wine, or hard liquor, alcohol is a depressant that **slows your reflexes, increases the time you need to react, and distorts your vision and judgment.** At the same time, alcohol often makes you *feel* more confident about your actions, and it can cause you to take chances while driving that you normally wouldn't take. This is a dangerous combination that often leads to serious motor vehicle accidents and tragic deaths.

Even one alcoholic drink in an hour can affect your driving. The effects of alcohol can increase significantly if you are tired, emotionally upset, or haven't eaten. No one is immune to alcohol. After drinking, your ability to drive any vehicle safely is impaired. No matter how much you try to be careful or how hard you try to concentrate, there is still a drug inside your body affecting you physically and mentally.

Blood Alcohol Content

When you drink an alcoholic beverage, your body works hard to eliminate the alcohol from your system. You *do not* digest alcohol as you do food. Alcohol is processed by your liver and kidneys, and the process takes time. There is no quick way to sober up or to get the alcohol out of your body. Drinking black coffee, taking a cold shower, exercising, or eating might make you feel more alert after drinking alcohol, but none of these actions has any effect on how quickly alcohol leaves your body.

Ideally, if you have had *any* alcoholic beverage, you should *not* drive. Determining exactly what is “too much” alcohol can be difficult. The amount of unprocessed alcohol in your body is measured as **blood alcohol content (BAC)**, which can be determined by a blood or a breath test. Your BAC depends on several factors:

- Your body weight
- How much alcohol you have had to drink
- The amount of food you ate before drinking
- The length of time during which you have been drinking alcohol
- The speed at which your body processes alcohol (everyone processes alcohol differently)

Regardless of the *kind* of beverage you drink, the key is the amount of alcohol you have consumed over a period of time. **Each of the following drinks contain about the same amount of alcohol** (about $\frac{1}{2}$ ounce):

- 12-ounce beer
- 4-ounce glass of wine
- 1-ounce serving of 80-proof liquor (even if mixed with a soft drink)

Any one of these drinks can increase the average person’s BAC by 0.02. If you have more than one drink in an hour, your BAC starts to rise, and only time will rid you of the effects of alcohol.

Alcohol Tests

According to the Massachusetts Implied Consent Law, every licensed driver in this state agrees to consent to a breathalyzer or blood test under certain circumstances. If you are stopped by a police officer who believes you are operating a motor vehicle under the influence of alcohol, the officer has the right to ask you to...

- Perform a field sobriety test
- Submit to a breathalyzer or blood test to calculate your BAC, if you have been arrested

If you take a breath test and you register a **BAC of 0.08 or higher**, you are operating above the legal limit. For drivers under 21, Massachusetts has a “zero-tolerance” law. This means a **BAC of 0.02** is above the legal limit if you are under 21.

Police officers are required to take away your license on the spot if you register an illegal BAC or if you refuse a breathalyzer or blood test.

An officer will take away your license immediately, give you a notice of suspension, and issue you a temporary license, which will become effective after 12 hours. This temporary license is valid for 15 days and gives you an opportunity to exercise your right to a license suspension hearing.

Under-21 Suspensions for OUI	
BAC of 0.02 or higher	30 days
Refusing Breath Test	1 year - 18 months

Under-21 Alcohol Offenses

According to state and federal accident statistics, **drivers under age 21 are twice as likely as most drivers to be involved in motor vehicle accidents in which alcohol is a factor. This is one reason that laws applying to under-21 drivers are more strict.**

Massachusetts has a “zero-tolerance” law, which means that if you are a driver under 21 and are found to have a BAC as low as 0.02 while driving, you *will* lose your license.

Young drivers cited for operating under the influence or for refusing an alcohol breathalyzer or blood test will have their licenses suspended. If you receive a license suspension, you must also complete an alcohol education program or **face an additional 180-day suspension (youths under age 18 face an additional 1-year suspension). This suspension will be in effect regardless of your court case.**

The law specifies that a JOL holder who is convicted of any of a number of serious motor vehicle offenses will receive an additional 180 days suspension for a first offense, and a one (1) year suspension for a second offense. (Note: both offenses need not be the same type).

Those offenses include:

- Operating under the Influence
- Operating to Endanger
- Leaving the Scene of a personal injury or property damage accident
- Drinking from an Open Container of an Alcoholic Beverage
- Operating under the Influence Causing Serious Bodily Injury
- Motor Vehicle Homicide

By completing an alcohol education program, you will eliminate the 180-day suspension (if you were over 18 at the time of the offense) and will reduce to 180 days the 1-year suspension (if you were under 18 at the time of the offense), in

addition to the suspension already imposed and any penalty assessed as a result of your court case or any other law. If you fail to complete the program, you will be subject to the full suspension period. The ability to waive or reduce this suspension by taking the Youth Alcohol Program only applies to those offenders facing their first OUI arrest. A reinstatement fee will also apply.

Note that the Youth Alcohol Program law was designed to have each youth charged with OUI attend this program and undergo alcohol education or face a license consequence, even in cases where the offender is ultimately found not guilty of the charge. This law applies in all cases, regardless of the final outcome of the charges in court.

Buying, Possessing or Transporting Alcohol

If you are under 21, it is illegal to...

- Buy alcohol or have someone buy it for you
- Possess, carry, or transport alcohol unless accompanied by a parent or guardian

Violating either of these laws requires a 90-day to 1-year license suspension and possible fines and other penalties. **The suspension for buying or attempting to buy alcoholic beverages by a person under 21 is 180 days.**

Open Container Law

You may *not* drink alcohol while driving or have an open alcoholic beverage inside your vehicle. If you are convicted of this offense, you will be fined \$100 to \$500. If you are under 21, you can be arrested, fined, and have your license suspended.

False or Altered Licenses/ Identification Cards

It is against the law to use a false license or ID, to alter a license or ID, or to use another person's license or ID. It is also against the law to

use false information to obtain a license or ID. In most cases illegal use of these is a felony and serious penalties may apply. These penalties are not limited to an attempt to purchase alcohol. *M.G.L.c.90, §22(e) allows the RMV to suspend your license or right to operate in Massachusetts for 6 months. A conviction is not required. If you are convicted of this offense, your license will be suspended for 1 year.*

Illegal Drugs, Medicine, and Other Controlled Substances

Massachusetts laws that define violations and penalties for operating under the influence of alcohol also apply to drugs. Almost any drug can affect your driving skills; illegal drugs, prescription medicines, and over-the-counter remedies can all decrease your ability to drive safely.

Marijuana

Smoking or ingesting marijuana impedes your responses to sights and sounds and therefore makes you dangerous as a driver. It lessens your ability to handle a quick series of tasks. As a result, marijuana smokers' most serious driving problems occur when they face unexpected events, such as a car approaching from a side street or a child running into the street from between parked cars. These driving problems get more severe after dark, because marijuana also causes a severe loss of night vision.

Other Drugs

Like marijuana, many other drugs and controlled substances can negatively impact your driving ability:

- Illegal hard drugs, like lysergic acid diethylamide (LSD), heroin, and opium, make you virtually unaware of and indifferent to your surroundings.
- Prescription sedatives and tranquilizers make you drowsy and, therefore, dangerous as a driver.

Remember, you can still be considered OUI with prescription drugs. It is illegal to operate a motor vehicle while impaired by any substance.

- Most medicines taken for colds, hay fever, or headaches can cause drowsiness. Pain killers and medicines containing codeine can be especially dangerous.
- Stimulants like pep pills, speed, cocaine, and diet pills may make you feel more awake and more aware for short periods, but these periods are inevitably followed by fatigue, nervousness, dizziness, and a lack of concentration. These substances can also affect your vision.
- Inhaling controlled substances like solvents or glue vapors is not only a serious health hazard, but doing so can make you unable to operate a motor vehicle properly.

For prescription or over-the-counter medicines, make sure you read labels carefully and know the drugs' potential side effects. Ask your doctor or pharmacist if you're not sure.

Combining alcohol with other drugs dramatically increases the negative effects that either one would have on its own. Do *not* mix alcohol, drugs, and driving. It's a fatal mistake.

Drug Possession Offenses

If you are convicted of *any* drug offense, whether in Massachusetts or another state, your driver's license *will* be suspended. **Even if no motor vehicle was involved in the offense, the law requires you to lose your driving privileges for 1 to 5 years, depending on the conviction.**

Reasons for License Nonrenewal

When the time comes to renew your driver's license, the RMV will refuse your renewal request if you have...

- Unpaid fines for parking violations
- Citations for abandoned vehicles
- Outstanding excise tax due in your local community
- Outstanding court warrants
- Unpaid Fast Lane violations

Before you can renew your license, you must present official **release forms** showing that all fines and taxes have been paid to local communities or that outstanding warrants have been satisfied. For an outstanding court warrant, a recall notice from the court is required. No other documents will be accepted by the RMV.

The RMV cannot serve you until you have cleared any outstanding problems.

Unpaid parking tickets and excise taxes must be paid to local cities and towns.

The RMV can only collect Fast Lane violations that are 60 or more days delinquent. This means that at least 60 days have passed since the date of violation issuance.

For more information, call Fast Lane Violation Processing Center at 1-877-627-7745

License Suspension

If your license is suspended or revoked, you will not be able to renew your license. *See the License Suspension or Revocation section of this chapter for more information.*

